UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

ELTON BARRIOS,

PLAINTIFF,

v.

PNC BANK, INC.

DEFENDANT.

Case. No. 1:15-cv-01131-CAB

Judge Christopher A. Boyko

REPORT OF PARTIES' PLANNING MEETING UNDER FED. R. CIV. P. 26(f) AND L.R. 16.3(b)

1. Pursuant to Fed. R. Civ. P. 26(f) and L.R. 16.3(b), a meeting was held on June 26, 2015, and was attended by:

Steven J. Moody, Esq., Counsel for plaintiff, Elton Barrios.

Siobhan M. Sweeney, Esq., Locke Lord LLP, counsel for defendant, PNC Bank, National Association (incorrectly named in Complaint as "PNC Bank, Inc.").

2. The parties:

Defendant has served its initial, pre-discovery disclosures pursuant to the Initial Discovery Protocols for Employment Cases Alleging Adverse Action ("Employment Case Protocols"), on counsel for Plaintiff on July 10, 2015.

Plaintiff has/will serve his initial, pre-discovery disclosures pursuant to the Employment Case Protocols, on counsel for Defendant on July 15, 2015.

3. The parties recommend the following track: Standard

4. Pursuant to Local Rule 5.1(c) all documents must be electronically filed absent a showing of good cause.

5. This case is not suitable for ADR at this time but may be after discovery.

6. The parties do not consent to the jurisdiction of the United States Magistrate Judge pursuant to 28 U.S.C. § 636(c).

7. Recommended Discovery Plan:

(a) Describe subjects, nature and extent of discovery:

(1) Plaintiff's Position-

Defendant is liable to plaintiff for:

(i) racial discrimination,

(ii) wrongful termination,

(iii) negligent hiring, training and supervision and

(iv) Retaliation in employment from the bank.

Discovery will be directed at the facts demonstrating these claims.

(2) Defendant's Position-

The areas of discovery for the Defendant will include, the following:

(i) The factual and legal bases for Plaintiff's claims as to liability and damages as set forth in his Complaint;

(ii) Facts related to Defendant's termination of Plaintiff's employment;

(iii) Facts related to affirmative defenses set forth by Defendant in its Answer;

(iv) Facts related to Plaintiff's alleged damages and his efforts to mitigate his damages; and

(v) Other subjects related to liability, defenses and damages that arise during the course of discovery.

(b) Non-Expert discovery cut-off date: November 13, 2015.

(c) Plaintiff's expert report due: December 4, 2015.

(d) Defendant's expert report due: January 11, 2016.

(e) Expert discovery cut-off date: February 8, 2016.

8. Recommended cut-off date for amending the pleadings and/or adding additional parties: September 1, 2015.

9. Recommended dispositive motion date: 30 days after the close of all (fact and expert) discovery.

10. Recommended date for Status Hearing/Settlement Conference: on or around January 29, 2016.

11. Other matters for the attention of the Court: Entry of Stipulated Protective Order for confidential information in the form approved by the Court in L.R. Appendix L.

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CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of July 2015, a true and accurate copy of the foregoing Report Of Parties' Planning Meeting Under Fed. R. Civ. P. 26(F) and L.R. 16.3(B) was electronically filed using the CM/ECF System, which will send such filing to the following:

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